

HOUSE BILL No. 1524

DIGEST OF INTRODUCED BILL

Citations Affected: IC 10-16-7-23; IC 33-23-9-1.

Synopsis: Employment protection for veterans. Provides that the rights, benefits, and protections of the federal Soldiers' and Sailors' Civil Relief Act apply to members of the armed forces of the United States on active duty or to the spouse or dependent of a member of the armed forces of the United States on active duty, if applicable. (Current law provides that the rights, benefits, and protections of the federal Soldiers' and Sailors' Civil Relief Act apply only to members of the Indiana national guard on active duty.)

Effective: July 1, 2015.

Borders

January 20, 2015, read first time and referred to Committee on Veterans Affairs and Public Safety.



First Regular Session of the 119th General Assembly (2015)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2014 Regular Session and 2014 Second Regular Technical Session of the General Assembly.

HOUSE BILL No. 1524

A BILL FOR AN ACT to amend the Indiana Code concerning military and veterans.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 10-16-7-23 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 23. (a) As used in this
3 section, "active duty" means:
4 (1) training or duty under federal law; or
5 (2) state active duty under section 7 of this chapter;
6 performed under an order of the governor.
7 (b) The rights, benefits, and protections of the federal Soldiers' and
8 Sailors' Civil Relief Act, 50 U.S.C. App. 501 et seq., as amended and
9 in effect on January 1, 2003, apply to:
10 (1) a member of the Indiana national guard ordered to active duty
11 for at least thirty (30) consecutive days;
12 (2) **an individual on active duty serving in the armed forces of**
13 **the United States; or**
14 (3) **a spouse or dependent of an individual described in**
15 **subdivision (1) or (2), if applicable.**



(c) The rights, benefits, and protections of the federal Uniformed Services Employment and Reemployment Rights Act, 38 U.S.C. 4301 et seq., as amended and in effect on January 1, 2003, apply to a member of the Indiana national guard ordered to active duty.

(d) Nothing in this section shall be construed as a restriction or limitation on any of the rights, benefits, and protections granted to a member of the Indiana national guard, **a member of the armed forces of the United States, or the spouse of a member of the Indiana national guard or armed forces** under federal law.

SECTION 2. IC 33-23-9-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 1. (a) An Indiana state court may grant the rights, benefits, and protections described in Section 513 of the federal Soldiers' and Sailors' Civil Relief Act, 50 U.S.C. App. 513, as amended and in effect on January 1, 2003, to a person primarily or secondarily liable on an obligation or a liability of:

(1) an Indiana national guard member to whom IC 10-16-7-23 applies;

(2) **an individual on active duty serving in the armed forces of the United States; or**

(3) **a spouse or dependent of an individual described in subdivision (1) or (2), if applicable.**

(b) All rights, benefits, and protections granted to a person under subsection (a) are in addition to the rights, benefits, and protections granted the person under the federal Soldiers' and Sailors' Civil Relief Act, 50 U.S.C. App. 501 et seq., as amended and in effect on January 1, 2003.

